1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 TROY MAGARRELL, 11 Plaintiff, No. CIV S-04-2634 LKK DAD P 12 VS. 13 P. MANGIS, M.D., et al., 14 Defendants. ORDER 15 Plaintiff, a state prisoner proceeding through counsel, has filed this civil rights 16 action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States 17 18 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262. 19 On August 20, 2009, the magistrate judge filed findings and recommendations 20 herein which were served on all parties and which contained notice to all parties that any 21 objections to the findings and recommendations were to be filed within twenty days. Neither 22 party has filed objections to the findings and recommendations. 23 The court has reviewed the file and finds the findings and recommendations to be 24 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY 25 ORDERED that: ///// 26

Case 2:04-cv-02634-LKK-DAD Document 104 Filed 10/23/09 Page 2 of 2

1	1. The findings and recommendations filed August 20, 2009, are adopted in full;
2	2. Defendant Mangis' June 5, 2009 amended motion for summary judgment
3	(Doc. No. 74) is denied.
4	DATED: October 23, 2009.
5	
6	James K Koutton
7	LAWRENCE K. KARLTON SENIOR JUDGE
8	UNITED STATES DISTRICT COURT
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	